

State of Hawaii
DEPARTMENT OF LAND AND NATURAL RESOURCES
Engineering Division
Honolulu, Hawaii 96813

August 26, 2011

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

**Approval to Execute Supplemental Contract No. 1 to Contract No. 57136 for Professional Services, and
Declare Project Exempt From Requirements of Chapter 343, HRS, and Title 11, Chapter 200,
Hawaii Administrative Rules for Port Allen Small Boat Harbor Pier Improvements
Hanapepe, Kauai, Hawaii**

The Engineering Division desires to execute Supplemental Contract No. 1 to Contract No. 57136 with Arnold T. Okubo & Associates, Inc.

BACKGROUND:

The project consists of replacing Piers A and B, and the loading dock at Port Allen Small Boat Harbor. The Division of Boating and Ocean Recreation would like to proceed with the portion of improvements consisting of the loading dock. Supplemental No. 1 will formalize Change Order No. 1 to exercise the Term of Contract options to extend the contract date from June 9, 2011 to June 9, 2014 to provide time to re-package a portion of the plans and specifications, obtain permits, and provide bidding and construction services.

In accordance with Hawaii Administrative Rule Section 11-200-8(a) (1) & (4), and the Exemption List for the Department of Land and Natural Resources, Division of Boating and Ocean Recreation, as concurred in by the Environmental Council, March 1995, the subject project is exempt from the preparation of an environmental assessment pursuant to Exemption Class No. 2, Exemption Item No. B.5, states, "Replacement or repair of existing deteriorating and/or damaged structures to their original/better condition within areas under the jurisdiction of the Division of Boating and Ocean Recreation such as piers, boat ramps, loading docks, catwalks, mooring buoys, single story office buildings, warehouses, shed, comfort stations, and shelters."

Refer to attached Exemption Notification labeled Exhibit A.


RECOMMENDATION:

1. That the Board authorize the Chairperson, subject to review and approval by the Department of the Attorney General, to enter into Supplemental Contract No. 1 to Contract No. 57136, and sign the necessary documents to formally extend the contract end date with the contractor, Arnold T. Okubo & Associates, Inc.
2. That the Board authorize the Chairperson, subject to review and approval by the Department of the Attorney General, to enter into supplemental contracts to address unforeseen conditions and sign the necessary documents to implement the additional work with the contractor, Arnold T. Okubo & Associates, Inc.
3. Declare that, after considering the potential effects of the proposed project as provided by Chapter 343, HRS, and Chapter 11-200, HAR, this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Respectfully submitted,


CARY S. CHANG
Chief Engineer

Requested by:

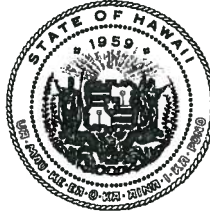

EDWARD R. UNDERWOOD, Administrator
Division of Boating and Ocean Recreation

Approved For Submittal:


WILLIAM J. AILA, JR, Chairperson

ITEM L-1

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

ENGINEERING DIVISION
POST OFFICE BOX 373
HONOLULU, HAWAII 96809

WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

GUY H. KAULUKUKUI
FIRST DEPUTY

WILLIAM M. TAM
DEPUTY DIRECTOR - WATER

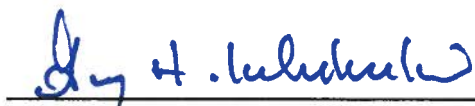
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT

ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

EXEMPTION NOTIFICATION

Regarding the preparation of an environmental assessment pursuant to Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Port Allen Small Boat Harbor Pier Improvements Hanapepe, Kauai, Hawaii
Project Number:	Job No. B94DK71A
Project Description:	Scope of work consists of replacing the loading dock at Port Allen Small Boat Harbor.
Chapter 343 Trigger(s)	Use of State Funds
Exemption Class & Description:	<u>Exemption Class No. 2</u> , of the Department of Land and Natural Resources, Division of Boating and Ocean Recreation, as concurred in by the Environmental Council, March 1995, states "Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height, and dimensions as the structure replaced."
Exemption Item Number and Description:	<u>Section B, Item 5 of Class No. 2</u> states: "Replacement or repair of existing deteriorating and/or damaged structures to their original/better condition within areas under the jurisdiction of the Division of Boating and Ocean Recreation such as piers, boat ramps, loading docks, catwalks, mooring buoys, single story office buildings, warehouses, shed, comfort stations, and shelters."
Recommendation:	It is anticipated this project will probably have minimal or no significant effect on the environment and is presumed to be exempt from the preparation of an environmental assessment


for William J. Aila, Jr, Chairperson

8.3.11
Date

EXHIBIT A